

THE CENTER FOR THE
MORAL DEFENSE
OF CAPITALISM



To: US Department of Justice—Antitrust Division

Title:

Company:

Fax 202-616-9937

Business

From:

Fax number:

Business phone:

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Re: Microsoft Settlement

Please see attached document

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January 26, 2002

Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Mr. Ashcroft:

I was relieved last November when a settlement was finally proposed in the Microsoft antitrust case. I do not think Microsoft has done anything worthy of such harsh litigation, and I think that a settlement would, at this point, be the best thing that could happen in the case. To my dismay, however, Microsoft's competitors, who have been relentlessly pursuing the destruction of Microsoft from the beginning, are currently engaged in undermining the settlement and seeking further litigation against Microsoft. Ever since this case was brought to the federal courts, the economy has declined and the technology industry has suffered. The measures Microsoft's opponents want to pursue will ultimately do more harm than good, and I do not believe that the public should have to suffer simply because Microsoft's competitors want to make some money.

Microsoft has been very generous in this suit. I think Bill Gates and his lawyers have shown a great deal of pragmatism in making so many unnecessary concessions. They have gone beyond what was required of them in the lawsuit, and have agreed to terms that restrict parts of their company that have not violated antitrust laws. The settlement appears to be very fair, and I can honestly see no good reason for additional litigation. Microsoft has agreed not to enter into any contract that would require a third party to sell Microsoft software at any fixed percentage. Microsoft has also agreed to change its Windows operating system so that it will support non-Microsoft software, and Microsoft's competitors will be able to introduce their own software directly into Windows.

I believe it is time to let Microsoft get back to business, and the only way to do that is to settle the case. The proposed settlement is sufficient to prevent future antitrust violations, and there is no need to continue federal action. I urge you to accept the settlement.

Sincerely,

Ronald Chikalla

cc: Representative F. James Sensenbrenner, Jr.